

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

GERALD L. MOORE (dob: 03/03/1943)

CASE NUMBER: 08-M-522

I, Brock Bahe, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about December 15, 2008, in Washington County, in the State and Eastern District of Wisconsin, Gerald L. Moore did take by intimidation from the presence of a teller money which was in the possession of The Equitable Bank, Germantown, Wisconsin, the deposits of which were insured by the Federal Deposit Insurance Corporation and in so doing, the defendant put tellers lives in jeopardy by the use of a dangerous weapon in the form of a BB gun, in violation of Title 18, United States Code, Sections 2113(a), 2113(d) and 2.

I further state that I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation, and this complaint is based on the following facts:

Please see the attached affidavit of Special Agent Brock Bahe.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

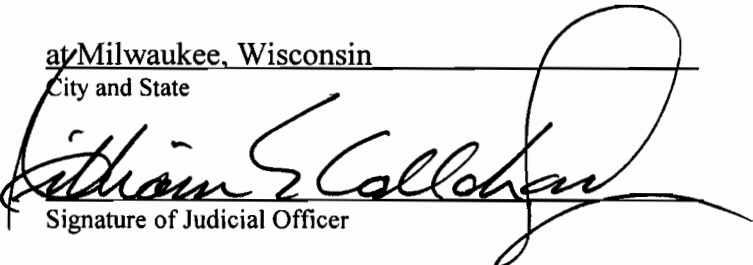

Signature of Complainant: Brock Bahe

Sworn to before me and subscribed in my presence,

December 17th, 2008
Date

The Honorable William E. Callahan, Jr.
United States Magistrate Judge
Name & Title of Judicial Officer

at Milwaukee, Wisconsin
City and State


Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Brock Bahe, being first duly sworn under oath, on information and belief says that:

1. I am employed as a Special Agent by the Federal Bureau of Investigation and have been so employed for approximately 7 months.
2. I am the lead agent in the investigation of an armed bank robbery that occurred at approximately 1:36 p.m., on December 15, 2008, at The Equitable Bank located at N96 w17698 County Line Road, Germantown, State and Eastern District of Wisconsin. At the time of the robbery, the deposits of this bank were insured by the Federal Deposit Insurance Corporation.
3. This affidavit is based on my personal knowledge, information reported to me by other federal, state, and local law enforcement officers during the course of their official duties, and interviews with citizen witnesses. To the extent that the information is not based upon my personal knowledge, I believe it to be truthful and reliable.
4. Citizen witness T.R.H. reported that she is employed by the above described Equitable Bank. T.R.H. stated that at approximately 1:36 p.m., on December 15, 2008, she was working as a bank teller. T.R.H. observed one black male suspect enter the bank with what appeared to be a fake beard and his right hand in his top coat pocket as he approached her teller window. T.R.H. reported that the suspect leaned over the counter, displayed what she believed to be a dark colored semi-automatic handgun in his right hand and ordered her to give him all her money. T.R.H. counted out U.S. currency on the counter and did not attempt to give the suspect bait money or a dye pack due to his proximity to the drawer. T.R.H. then observed the suspect exit the bank with the money and run east along County Line Road. T.R.H. described the suspect as being a male black in his mid 30's, approximately 6'2" in height and a weight of approximately 230 lbs. He was wearing a black colored knit hat and a 3/4 length gray/green or beige colored jacket and fake beard.
5. Citizen witness D.H. reported that prior to the time of the robbery he and his son observed two black males in a maroon 4 door vehicle, Wisconsin license plate 408NVE, in the Arby's parking lot adjacent to The Equitable Bank. D.H. observed the passenger exit the vehicle with what appeared to be a mask and walk around the north side of the Arby's westbound away from them. D.H. observed the second suspect remain in the driver's position of the vehicle. The second suspect appeared to be an older black male with a beard and mustache. D.H. then drove closer to the suspects' vehicle in order to obtain the license plate number. D.H. then observed the passenger with the fake beard running from The Equitable Bank, toward the east where the Buick was earlier parked. D.H. then entered the bank and provided the above information to bank employees and Germantown Police Officers.
6. Police Officer Showalter, Germantown Police Department, after receiving the above vehicle description via dispatch, observed the suspects' vehicle traveling south on US 41 and followed them until patrol cars from Germantown Police Department began pursuit. Near the intersection of 87th St. and Villard Ave., the passenger, a black male, was observed exiting the

vehicle and departed the area on foot after the vehicle impacted a snowbank. The driver reversed the vehicle and continued southbound on 87th Street. Pursuit of the subject's vehicle continued, reaching speeds of up to 90 m.p.h. Near the intersection of Green Tree St. and Seville, in Glendale, the vehicle came to a stop and Police Officer Showalter and other Officers took the driver into custody. The driver was identified as Gerald Lamar Moore, DOB 03/03/1943. He was escorted to Community Memorial Hospital, Menomonee Falls for treatment of minor injuries. The vehicle was a 2004 maroon Buick LeSabre 4dr. with Wisconsin license plate 408NVE. A check of FBI and local Police Department records indicate that Gerald Moore was convicted of bank robbery in 1982 and 1995.

7. Detective Michael J. Eggers, Germantown Police Department, attempted to interview Gerald Lamar Moore at Community Memorial Hospital. After being advised of his Miranda rights Moore invoked his right to remain silent and the interview was terminated.

8. Police Officer Schnell, Germantown Police Department, began a search for the passenger of the vehicle where he bailed out of the car on the southwest corner of the intersection of N. 87th St. and W. Villard Ave. Officers found fresh footprints in the snow and followed them west to a line of apartments. Officer Schnell and Officer Marten began to conduct a canvass of the area. Officer Schnell deployed K-9 Bosco who lead the officers to a kettle grill containing a black knit cap, and a pistol later identified as a Walther 6mm, b.b. gun.

9. An audit conducted by The Equitable Bank personnel revealed that the bank suffered a loss of \$972.00 as a result of the robbery.

10. Based upon the information provided in this affidavit, I submit that there is probable cause to believe that Gerald L. Moore and his accomplice robbed The Equitable Bank located at N96 w17698 County Line Road, Germantown, Wisconsin, on December 15, 2008, the deposits of which are insured by the FDIC.